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RUEHNM/AMEMBASSY NIAMEY PRIORITY 1798
RUEHBP/AMEMBASSY BAMAKO PRIORITY 0799
RUEHTRO/AMEMBASSY TRIPOLI PRIORITY
RUEHMD/AMEMBASSY MADRID PRIORITY 9135
RUEHFR/AMEMBASSY PARIS PRIORITY 2966
RUEHCL/AMCONSUL CASABLANCA PRIORITY 3608
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C O N F I D E N T I A L SECTION 01 OF 02 ALGIERS 001319

SIPDIS

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SUBJECT: STOP THE PRESS: JOURNALISTS ON TRIAL AGAIN

REF: A. ALGIERS 504
 1B. ALGIERS 1306
 1C. ALGIERS 865

Classified By: Ambassador David D. Pearce; reasons 1.4 (b) and (d)

11. (C) SUMMARY: The Algerian League for the Defense of Human Rights (LADDH) marked its celebration of the 60th anniversary of the Universal Declaration of Human Rights by voicing concern that basic freedoms in Algeria were slipping, not improving as Algeria's human rights ombudsman Farouk Ksentini claimed in a December 10 press statement. LADDH's honorary chairman Ali Yahia Abdennour noted that freedom of association, freedom of religion and freedom of expression all suffered setbacks during the year. Mostefa Bouchachi, LADDH's present chairman, expressed special concern about increasing pressure on Algeria's independent press, which has faced a rising tide of defamation trials, including 15 separate trials since October. Rights advocates, journalists and academics fear the November 12 constitutional revision is consistent with a general regression in basic rights in Algeria, particularly press freedom, as the Ministry of Communication was subsequently attached to the Prime Minister's office and the position of Minister of Communication eliminated as a result. As we have seen in the past, the latest flurry of trials has resulted in jail sentences, fines, and, in a few cases, acquittals. However, Brahim Takheroubt, editor of French-language daily L'Expression, commented that the enormous amounts of time journalists must spend defending themselves was in a sense more of an impediment to their work than the actual punishment rendered by the judges. END SUMMARY.

12. (C) The chairman of the National Commission for the Promotion and Protection of Human Rights (CNCPPDH), Farouk Ksentini, marked the 60th anniversary of the signing of the Universal Declaration of Human Rights (UDHR) by saying that the political will to promote human rights exists in Algeria, and that the country's human rights situation continues to improve. Independent observers, however, came to a different conclusion as they reflected on the significance of the UDHR's anniversary and the human rights reality in Algeria. The Algerian League for the Defense of Human Rights (LADDH) criticized Ksentini's rosy assessment and argued that basic human rights were deteriorating, not improving. LADDH's honorary chairman Ali Yahia Abdennour said NGOs, trade unions, political parties and religious groups continue to face difficulties in obtaining legal status, which often requires the "blessing" of the Ministry of Interior. Abdennour also pointed to Algeria's ongoing state of emergency, in effect since 1992, that effectively mutes any

expression of public dissatisfaction by making public gatherings and protests illegal without advanced approval from the government.

SAVE THE PRESS

¶3. (C) LADDH chairman and lawyer Mostefa Bouchachi shared Abdennour's pessimism about the present trend in Algeria, adding that LADDH had originally planned to hold a seminar on human rights to mark the UDHR anniversary, but, ironically, could not get permission from the government to do so. LADDH instead had to bill its event as a celebration. Bouchachi told us he expects the government will continue to tighten its grip on society leading up to the April 2009 presidential elections and predicted that the situation would not necessarily relax once the elections are over. Bouchachi said that Algeria's independent press has become a reliable voice in raising awareness of the need to address Algeria's myriad human rights issues; however, he remarked that LADDH was increasingly concerned about press freedom and planned to make the issue the centerpiece of LADDH's forthcoming report on human rights to be released in January. We have reported previously on the complex challenges a newspaper faces in order to survive in Algeria today (ref A), while radio and television remain controlled by the government.

¶4. (C) To its credit, Algeria's independent print media regularly criticizes the ruling elite, tracks corruption and reports frequently on social unrest. El Watan recently ran articles in which members of the political elite lambasted

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one another for their alleged roles in unleashing the violence of the 1990s (ref B). During the summer, newspapers gave ample coverage to hunger striking contract teachers and the government's brusque response to their demands (ref C). But although Algeria's print media environment is relatively free by regional standards, there are signals that this space might be shrinking. Independent newspapers have faced a rising tide of defamation cases against their journalists and editors, with 15 separate cases since October. The largest independent dailies, French-language El Watan and Arabic-language daily El Khabar, have borne the brunt of this recent round of trials, but they are not alone. Brahim Takheroubt, chief editor at French-language daily L'Expression, said his paper has had to defend itself against more than 100 defamation charges in recent years. Faycal Benmedjahed, the editor of little-known Alger Republican, was arrested December 12 on an outstanding defamation charge from the 1990s as he tried to board a plane in Algiers.

COMMENT

¶5. (C) Civil society leaders, journalists and academics have told us in various settings that the November constitutional revision continued a steady regression of basic freedoms in Algeria, and that press freedom is no exception. In this most recent flurry of defamation trials, judges and prosecutors have called for fines, prison sentences, and in a few cases, acquittals -- a pattern that we have observed for some time. But just as alarming is the fact that many journalists spend months trapped by a judicial system in which delays and appeals require them to spend countless hours in court to defend themselves. Takheroubt emphasized that this is perhaps the most costly aspect of a defamation trial and a significant impediment to a journalist's work. Another problem is that accusers filing defamation complaints face little to no pressure to justify their grievances. El Watan described a case against one of its journalists in which the accuser was absent throughout the entire trial.

PEARCE